

1 AN ACT concerning courts.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Attorney Act is amended by changing Section  
5 1 as follows:

6 (705 ILCS 205/1) (from Ch. 13, par. 1)

7 Sec. 1. No person shall be permitted to practice as an  
8 attorney or counselor at law within this State without having  
9 previously obtained a license for that purpose from the Supreme  
10 Court of this State.

11 No person shall receive any compensation directly or  
12 indirectly for any legal services other than a regularly  
13 licensed attorney, nor may an unlicensed person advertise or  
14 hold himself or herself out to provide legal services.

15 A license, as provided for herein, constitutes the person  
16 receiving the same an attorney and counselor at law, according  
17 to the law and customs thereof, for and during his good  
18 behavior in the practice and authorizes him to demand and  
19 receive fees for any services which he may render as an  
20 attorney and counselor at law in this State. No person shall be  
21 granted a license or renewal authorized by this Act who has  
22 defaulted on an educational loan guaranteed by the Illinois  
23 Student Assistance Commission; however, a license or renewal

1 may be issued to the aforementioned persons who have  
2 established a satisfactory repayment record as determined by  
3 the Illinois Student Assistance Commission. No person shall be  
4 granted a license or renewal authorized by this Act who is more  
5 than 30 days delinquent in complying with a child support  
6 order; a license or renewal may be issued, however, if the  
7 person has established a satisfactory repayment record as  
8 determined (i) by the Department of Healthcare and Family  
9 Services (formerly Illinois Department of Public Aid) for cases  
10 being enforced under Article X of the Illinois Public Aid Code  
11 or (ii) in all other cases by order of court or by written  
12 agreement between the custodial parent and non-custodial  
13 parent. No person shall be refused a license under this Act on  
14 account of sex.

15 Any person practicing, charging or receiving fees for legal  
16 services or advertising or holding himself or herself out to  
17 provide legal services within this State, either directly or  
18 indirectly, without being licensed to practice as herein  
19 required, is guilty of contempt of court and shall be punished  
20 accordingly, upon complaint being filed in any Circuit Court of  
21 this State. The remedies available include, but are not limited  
22 to: (i) appropriate equitable relief; (ii) a civil penalty not  
23 to exceed \$5,000, which shall be paid to the Illinois Equal  
24 Justice Foundation; and (iii) actual damages. Such proceedings  
25 shall be conducted in the Courts of the respective counties  
26 where the alleged contempt has been committed in the same

1 manner as in cases of indirect contempt and with the right of  
2 review by the parties thereto.

3 The provisions of this Act shall be in addition to other  
4 remedies permitted by law and shall not be construed to deprive  
5 courts of this State of their inherent right to punish for  
6 contempt or to restrain the unauthorized practice of law.

7 Nothing in this Act shall be construed to conflict with,  
8 amend, or modify Section 5 of the Corporation Practice of Law  
9 Prohibition Act or prohibit representation of a party by a  
10 person who is not an attorney in a proceeding before either  
11 panel of the Illinois Labor Relations Board under the Illinois  
12 Public Labor Relations Act, as now or hereafter amended, the  
13 Illinois Educational Labor Relations Board under the Illinois  
14 Educational Labor Relations Act, as now or hereafter amended,  
15 the State Civil Service Commission, the local Civil Service  
16 Commissions, or the University Civil Service Merit Board, to  
17 the extent allowed pursuant to rules and regulations  
18 promulgated by those Boards and Commissions or the giving of  
19 information, training, or advocacy or assistance in any  
20 meetings or administrative proceedings held pursuant to the  
21 federal Individuals with Disabilities Education Act, the  
22 federal Rehabilitation Act of 1973, the federal Americans with  
23 Disabilities Act of 1990, or the federal Social Security Act,  
24 to the extent allowed by those laws or the federal regulations  
25 or State statutes implementing those laws.

26 (Source: P.A. 94-659, eff. 1-1-06; revised 12-15-05.)